

Division of Workforce Development

Roderick Nunn
Director

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DWD ISSUANCE 02-05

Subject: Training and Employment Guidance Letter No. 22-04 (TEGL 22-04)

1. **Purpose:** To Clarify the documentation needed to meet the requirements outlined in TEGL 22-04.

2. **Substance:** The Department of Labor has issued TEGL 22-04 in order to clarify their policy regarding Workforce Investment Act (WIA) Dislocated Worker Formula-funded activities for military service members (non-retirees) and military spouses. This issuance outlines the Division of Workforce Development's (DWD) guidance on acceptable documentation to use while establishing program eligibility for these two populations.

Military Service Members

In order to streamline the eligibility determination process for military service members (non-retirees) to be served with Dislocated Worker formula funds, DWD has determined that a Department of Defense Form 214 (DD-214), reporting a discharge reason other than dishonorable, may be used to document that an individual has been terminated, has earned wages in unemployment insurance covered employment and is unlikely to return to their previous industry or occupation.

In order to complete the eligibility determination, program operators will still need to document the individual's:

- Citizenship or right to work in the United States
- Compliance with the Selective Service Act (if applicable)

Military Spouses

A copy of a military family's Permanent Change of Station (PCS) orders may be used to document the fact that an individual is following their spouse's military transfer and can, therefore, be served with Dislocated Worker formula funds as long as they meet all of the other eligibility criteria for the program.

In order to complete the eligibility determination, program operators will still need to document the individual's:

- Citizenship or right to work in the United States
- Compliance with the Selective Service Act (if applicable)
- Unlikelihood of returning to their previous industry or occupation
- Eligibility for Unemployment Insurance (UI) benefits (either receiving or having exhausted benefits). If the applicant did not qualify for UI, the service provider must document attachment to the workforce through UI wage records, pay stubs, or a letter or properly documented phone statement from the applicant's former employer to document employment. As a last resort, the applicant's signed attestation of the nature of the employment they left because of the military transfer may be used.

3. **Action:** Effectively immediately, this guidance should be used in conjunction with the guidance contained in DWD Issuance 13-99, 13-99 Change 1, and the attached TEGl 22-04 when determining eligibility for the Dislocated Worker program of military service members (non-retirees) and military spouses who leave their jobs to follow their spouse's military transfer.
4. **Contact:** If you have any questions regarding this issuance, please contact Randy Cottrell at (573) 526-8242.

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